July 10, 2000

The Honorable T. J. Glauthier
Deputy Secretary of Energy
1000 Independence Avenue, SW
Washington, DC 20585-1000

Dear Mr. Glauthier:

The Defense Nuclear Facilities Safety Board (Board) understands that you have tasked staff to develop an action plan for furthering the implementation of Integrated Safety Management throughout the Department of Energy (DOE) complex beyond the goals established by you and The Secretary of Energy for September 2000. Among matters being considered is the future role of the special Safety Systems Management Team (SMIT) that has spearheaded this effort thus far. The Board understands that one concept under consideration is the transitioning of the SMIT function to the Office of the Assistant Secretary for Environment, Safety and Health (EH). Your decision relative to this matter will affect the safety management of defense nuclear facilities. Hence, the Board wishes to offer its counsel on this matter.

The Board and DOE have worked together during the past five years to upgrade DOE's Safety Management program, using a fundamental concept called Integrated Safety Management (ISM). You and Secretary Richardson have been highly supportive of this concept and have done much to effect implementation. Integrated Safety Management is based upon the fundamental principle that line management is primarily responsible for safety: i.e., those responsible for performing the work. As currently organized, the personnel in DOE's EH organization are not in the line. They do provide an independent assessment, on behalf of your office, of how well safety is being accomplished by the line, and that is important. The Board has encouraged DOE to take actions to strengthen the role of EH in assuring that safety is accomplished by the line. However, to endow that office with responsibilities and authorities that are essentially those of line management will be counter-productive.

The progress made in DOE's implementation of ISM has resulted largely from actions by DOE's line management and it's contractors. Rather than diminishing this role and responsibility by transitioning the lead for implementation of ISM to EH, the Board would prefer to see each Program Secretarial Office (PSO) designate an individual responsible to the PSO for the advancement of this safety initiative. Doing work safely is a line responsibility. Those Program Secretarial Officers who have line responsibilities must champion ISM and be accountable to you, the Chief Operating Officer, and to the Secretary of Energy. DOE should endeavor to keep separate and distinct the management role of the line and the oversight role of the EH oversights group that serve a staff function. Failure to

do so has been a problem in the past and will develop into one in the future if these functions and responsibilities are not maintained separately.

One of the other principles of ISM is that "capabilities must be commensurate with responsibilities." As you proceed to delegate safety responsibilities to others, an assessment should be made to make certain that the competence to satisfy the assignment is there. Before proceeding to make any fundamental organizational changes, it would be advisable to look at DOE's internal safety management structure as a whole, particularly given the recent establishment of the new National Nuclear Security Administration. In this regard, the Board noted with interest a study recently done for the Environmental Protection Agency (EPA) by the National Research Council (NRC). The study was directed at the issue of quality of science conducted by the EPA in support of its regulatory decisions. The report notes that the Assistant Administrator for Research and Development serves an average of two to three years, which has devastating effects on the continuity of programs and sometimes morale of scientists and staff. The report also notes that the agency never has had an official below the level of Administrator with overall responsibility for the scientific and technical foundations of agency decisions—a particular problem because the Administrator has typically had a legal and not scientific background. The similarity of this situation with the administration of the nuclear safety program of DOE is striking. The NRC recommended that a position of Deputy Administrator for Science and Technology be established, that the position be held by an "eminent scientist or engineer," and that the position be converted from a politically appointed one to a statutory term of six years.

As you deliberate on the matter of roles and responsibilities of those to whom you and the Secretary of Energy look to for doing work safely, you should critically assess the hierarchy of your safety management organizational structure to identify that position or those positions that merit the establishment of similar prerequisites for the office holders.

The Board offers these observations in the interest of continuing success in the safety management upgrade program of the Department of Energy. Please call me if you have questions.

Sincerely,

John T. Conway
Chairman

c: Mr. Mark B. Whitaker, Jr.